

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

| REQUEST FOR PATENT FEE REFUND | | | | | | | | | | | | | | | | |
|---|-----------------------------------|----|---|------------------------------|---|---|-----------|-----------|--|---|---|----|---|---|---|---|
| 1 Date of Request: 12/26/06 | | | | 2 Serial/Patent # 10/788,833 | | | | | | | | | | | | |
| 3 Please refund the following fee(s): | | | | 4 PAPER NUMBER | | 5 DATE FILED | | 6 AMOUNT | | | | | | | | |
| X | Filing RCE | | | | | 12/22/06 | | \$ 790.00 | | | | | | | | |
| | Amendment | | | | | | | \$ | | | | | | | | |
| | Extension of Time | | | | | | | \$ | | | | | | | | |
| | Notice of Appeal/Appeal | | | | | | | \$ | | | | | | | | |
| X | Petition | | | | | 12/22/06 | | \$ 130.00 | | | | | | | | |
| | Issue | | | | | | | \$ | | | | | | | | |
| | Cert of Correction/Terminal Disc. | | | | | | | \$ | | | | | | | | |
| | Maintenance | | | | | | | \$ | | | | | | | | |
| | Assignment | | | | | | | \$ | | | | | | | | |
| | Other | | | | | | | \$ | | | | | | | | |
| | | | | 7 TOTAL AMOUNT OF REFUND | | | \$ 920.00 | | | | | | | | | |
| | | | | 8 TO BE REFUNDED BY: | | | | | | | | | | | | |
| 10 REASON: | | | | Treasury Check | | | | | | | | | | | | |
| | Overpayment | | | X | | Credit Deposit A/C #: | | | | | | | | | | |
| | Duplicate Payment | | | | | <div style="display: flex; align-items: center;"> 9 <table border="1" style="border-collapse: collapse; text-align: center;"> <tr> <td style="width: 20px;">1</td> <td style="width: 20px;">2</td> <td style="width: 20px;">--</td> <td style="width: 20px;">1</td> <td style="width: 20px;">3</td> <td style="width: 20px;">2</td> <td style="width: 20px;">2</td> </tr> </table> </div> | | | | 1 | 2 | -- | 1 | 3 | 2 | 2 |
| 1 | 2 | -- | 1 | 3 | 2 | 2 | | | | | | | | | | |
| X | No Fee Due (Explanation): | | | | | | | | | | | | | | | |
| Petition received too late to effect the withdrawal of this application from issue. | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |
| 11 REFUND REQUESTED BY: | | | | | | | | | | | | | | | | |
| TYPED/PRINTED NAME: Frances Hicks | | | | TITLE: Petitions Examiner | | | | | | | | | | | | |
| SIGNATURE: <i>Frances Hicks</i> | | | | PHONE: x23218 | | | | | | | | | | | | |
| OFFICE: Office of Petitions | | | | | | | | | | | | | | | | |
| ***** THIS SPACE RESERVED FOR FINANCE USE ONLY: ***** | | | | | | | | | | | | | | | | |
| APPROVED: <i>OKell</i> | | | | DATE: 12/28/06 | | | | | | | | | | | | |

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

**Office of Finance
Refund Branch
Crystal Park One, Room 802B**

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/788,833 **Confirmation No.** : 6924
Applicant : Dewayne Turner et al.
Filed : 02/27/2004
TC/A.U. : 3672
Examiner : Tsay, Frank
Docket No. : 020569-05007
Customer No. : 022904

Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

PETITION TO WITHDRAW FROM ISSUANCE

Sir:

Pursuant to Rule 313(c)(2), Applicant hereby petitions to withdraw the above-referenced Application from its scheduled issuance on December 26, 2006.

The fee required by Rule 17(h) is being paid concurrently with this electronic filing.

For good cause, Applicant would show the Office that it discovered late in the day on December 21, 2006, that the replacement (formal) drawings submitted along with the issue fee inadvertently contained 5 sheets of drawings from a similar but different application. Applicant files this petition and the accompanying Request for Continued Examination so that the correct drawings can be submitted and published in the patent.

Adjustment date: 12/28/2006 AKELLEY
 12/26/2006 INTEFSW 00000824 121322 10788833
 02 FC:1454 130.00 CR
 02 FC:1801 790.00 CR

Page 1 of 2

HOUSTON: 020569.05007: 1139467v1

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| 12/26/2006 | 00001954 | 4 | <u>1464</u> | \$130.00 | 12/22/2006 | DA 121322 |
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| REQUEST FOR CONTINUED EXAMINATION(RCE)TRANSMITTAL (Submitted Only via EFS-Web) | | | | | | | |
|---|----------------|-------------|------------|-------------------------------|--------------|----------|------|
| Application Number | 10/788,833 | Filing Date | 2004-02-27 | Docket Number (if applicable) | 020569-05007 | Art Unit | 3672 |
| First Named Inventor | Dewayne Turner | | | Examiner Name | Tsay, Frank | | |
| This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. The Instruction Sheet for this form is located at WWW.USPTO.GOV | | | | | | | |
| SUBMISSION REQUIRED UNDER 37 CFR 1.114 | | | | | | | |
| Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s). | | | | | | | |
| <input type="checkbox"/> Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked. | | | | | | | |
| <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____ | | | | | | | |
| <input type="checkbox"/> Other _____ | | | | | | | |
| <input checked="" type="checkbox"/> Enclosed | | | | | | | |
| <input checked="" type="checkbox"/> Amendment/Reply | | | | | | | |
| <input type="checkbox"/> Information Disclosure Statement (IDS) | | | | | | | |
| <input type="checkbox"/> Affidavit(s)/ Declaration(s) | | | | | | | |
| <input type="checkbox"/> Other _____ | | | | | | | |
| MISCELLANEOUS | | | | | | | |
| <input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of months _____ (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required) | | | | | | | |
| <input type="checkbox"/> Other _____ | | | | | | | |
| FEES | | | | | | | |
| The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No 121322 | | | | | | | |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED | | | | | | | |
| <input checked="" type="checkbox"/> Patent Practitioner Signature | | | | | | | |
| <input type="checkbox"/> Applicant Signature | | | | | | | |